

# ESA Successes in North Carolina:

## *A joint At-Risk effort of conservation action and recovery*

- Reducing regulatory burden
- Keeping working lands working and protecting an outdoor heritage
- Focused conservation and recovery work

May 2016



Alligator snapping turtle, one of 17 southeastern species on the 2012 CBD petition, credit: USFWS/ Garry Tucker



Georgia aster, Michele Elmore/TNC



Magazine Mountain shagreen, Dr. Ron Caldwell



Okaloosa darter; USFWS



Louisiana black bear; Pam McIlhenny

### The Challenge

More than three petitions beginning in 2010. One legal settlement. Together they covered 496 species.

The first 61 of those 496 species were already designated as candidates for protection, and a settlement laid out a schedule for final decisions on their status. A petition from the Center for Biological Diversity added 404 aquatic species. And in 2012, the U.S. Fish and Wildlife Service (Service) received an additional petition to evaluate 53 reptiles and amphibians. The agency continues to receive petitions seeking action on additional species.

In 2016, the Service's Southeast Region has roughly 60 percent of the agency-wide workload to evaluate these species.

### Results of Conservation Action

In 2011, recognizing the overwhelming number of evaluations in front of the Region, the Service began working even more closely with the Southeastern Association of Fish and Wildlife Agencies (SEAFWA) and a host of other partners and private landowners to implement a bold 'At-Risk' effort utilizing the flexibility within the Endangered Species Act (ESA) to do more and ultimately prevent the need to add species to the ESA's list of protected species.

Since 2011, the Service's biologists working with state partners have determined that 61 species either did not need federal protection as a result of conservation actions, additional information such as updated survey data, a lack of substantial information, and/or reevaluation of threats to their survival. Another 12 species protected by the ESA now require less protection or no protection at all as a result of recovery actions.

### Leading the Way

The 15 SEAFWA states are now leading the effort and using State Wildlife Grant (SWG) money to support, additional surveys, research coordinated status assessments, and restoration projects to conserve at-risk species before they need protection under the ESA. For

example, states are using SWG funding to support work to prioritize sandhill habitat restoration to benefit gopher tortoises and roughly 300 other species that use their burrows. Other states are using SWG money to support statewide surveys and restoration work benefitting the Hellbender.

The Southeast At-Risk Species (SEARS) Program focuses on collaborative conservation of species at-risk. Implemented by the SEAFWA's Wildlife Diversity Committee in cooperation with the Service and Wildlife Management Institute, the goal is to preclude the need to list species under the ESA. SEARS establishes a mechanism through which States can collaborate on range-wide surveys and conservation projects for at-risk species.

States within SEAFWA have pooled State Wildlife Grant Funds and other funds to support coordinated status assessments and conservation projects for at-risk species. This information will inform status assessments and conservation programs for these species.

### Voluntary, Locally led & Incentive-based

This At-Risk work is a broad effort with states, private landowners, business and industry like ALCOA and Southern Company, Timber Investment Management Organizations and other conservation partners to protect a way of life and create more opportunity for voluntary conservation actions to occur across the landscape.

Biologists from the states and the Service are working with as many of those partners and stakeholders as they can across the Southeast to gather the best available science and undertake voluntary actions to put conservation on the ground in the right places to keep working lands working, reduce regulatory burden, increase regulatory predictability, and conserve fish, wildlife, and their habitats.

One example of this collaboration is the Longleaf Stewardship Fund – a partnership among Southern Company, the National Fish and Wildlife Foundation

## The Challenge

January 2010: **61** candidate species published in Candidate Notice of Review became part of the Multi-District Listing Settlement Agreement.

April 20, 2010: CBD submits petition to list **404\*** southeastern aquatics.

(\*18 of these species were already designated by FWS as candidates.)

April 30, 2010 - January 2012: **12** species petitioned.

July 11, 2012: CBD submits petition to list a total of **53** reptiles and amphibians. The Southeast Region has the lead for **17**.

(Another 3 of the 53 occur in the Southeast, but other Region's have the lead for them.)

January 31, 2013 - now: **17** more species petitioned.

**496** southeastern species require evaluation.

## The Success So Far

**17** not warranted 12-month findings

**23** not substantial 90-day findings

**21** species withdrawn by petitioner

**61** species do not require protection as a result of conservation actions, lack of substantial information, updated surveys or reevaluations of threats to their survival

**4** listed or proposed for listing as threatened rather than endangered\*

**4** species down-listed as a result of recovery actions

**3** species delisted entirely as a result of recovery actions

**1** species currently proposed for delisting as a result of recovery actions\*

**12** species require less protection or are recovered and no longer need protection at all

**73** species in good shape or doing better

(\* Two proposed listings and two proposed delistings included here are not yet final agency actions, and the Service is currently receiving public comment on the proposed actions.)

(NFWF), the Service and others that is conserving and restoring the longleaf pine ecosystem. Through this effort federal agencies and corporate partners combine resources to enhance the longleaf pine ecosystem, benefiting at-risk species that depend on the ecosystem, such as the gopher tortoise, indigo snake, black pinesnake and the endangered red-cockaded woodpecker (RCW).

In addition, Southern Company and NFWF's Power of Flight program have accelerated the recovery of the RCW by expanding the range and numbers through translocations so that down-listing decades ahead of schedule could be a reality. These types of collaboration have helped protect wildlife and wetland resources and become a model for other groups interested in species recovery.

## Recovery

The Service uses a number of tools to support voluntary, locally led and incentive-based conservation to deliver conservation on the ground. One such tool is being finalized now. The Service is finalizing new flexibility to provide landowners, government agencies and others incentives to carry out voluntary conservation actions for non-listed species before they are listed. The new

policy allows the benefits to species by such actions to mitigate or serve as a compensatory measure for the detrimental effects of another action undertaken after a species is listed.

## Results

Beyond that, this way of working led to four species being listed as threatened rather than endangered because of positive conservation actions taken by partners. The threatened status made additional exemptions possible for certain activities under the ESA's Section 4(d).

Another eight species were down-listed to threatened from endangered, taken off the list of protected species entirely, or proposed for removal from the list as a result of recovery actions taken by the Service and its partners since these species were listed. The At-Risk effort benefits from the voluntary, innovative work that makes these recovery actions possible by aggressively looking for opportunities to accomplish this conservation before species need protection. The work also provides benefits for other species on the landscape.

So far, the effort and the vision behind it has enabled the Service to determine 73 southeastern species either didn't need the ESA's protection, could be listed as threatened rather than endangered, or could be down-listed or removed altogether from the list as a result of people working together.

## Working Together in North Carolina

Biologists from the states and the Service are working with as many stakeholders as they can across the Southeast to gather the best available science and to put conservation on the ground in the right places to benefit fish, wildlife, and their habitats.

For example, status surveys for the seepage salamander funded by a State Wildlife Grant project managed by the North Carolina Wildlife Resources Commission, documented that populations of the seepage salamander were secure leading to the withdrawal of that species from the mega-petition.

In September 2014 the Service announced the Georgia aster did not require federal protection under the Endangered Species Act. This decision reflects years of conservation work by myriad partners including North Carolina's Mecklenburg County Park and Recreation its Department of Agriculture & Consumer Services' Plant Conservation Program, the Service, the Forest Service, Southern Company, the Georgia Department of Transportation, and others.

These partners signed a formalized agreement committing to voluntary, proactive conservation actions to ensure the plant's survival.

Georgia aster is a wide-ranging but rare purple-flowering plant found along the open savanna or prairie habitats in upper Piedmont and lower mountain regions of Alabama, Georgia, North Carolina and South Carolina. Its conservation will provide the additional benefit of suitable habitat for some rapidly declining bird species such as the grasshopper sparrow, field sparrow, and eastern meadowlark.

## The ALCOA Power Flower

On the banks of the Yadkin River at Falls Reservoir you'll find yellow flowers blooming sporadically along a rocky 2.5-mile stretch of shoreline along the Stanly-Montgomery county line.

This is the world's only known population of the Yadkin River goldenrod, a plant once lost to science. It grows on land owned exclusively by Alcoa Power Generating Inc.



“We saw an opportunity to do some simple things that would mean a lot for the future of the river’s namesake goldenrod,” said Karen Baldwin of APCI. “By being good stewards of this plant now, we’re doing our part to keep it off the endangered species list in the future.”

A candidate for federal protection since 2005, the Yadkin River goldenrod was in the queue to be evaluated. In November 2013, APCI signed a Candidate Conservation Agreement; a voluntary commitment that defines a number of steps the signatories will take to alleviate the threats facing an at-risk plant or animal.

Later that month the Service removed the Yadkin River goldenrod from the candidate list due to a reduction in threats to the species.

For more information, please visit [www.fws.gov/southeast/candidateconservation](http://www.fws.gov/southeast/candidateconservation), or contact Mike Harris, At-Risk Species Coordinator, at 404/679 7066.

